

Senate Commerce, Labor & Agriculture Committee Amendment No. 1

Amendment No. 1 to SB2055

**Cooper
Signature of Sponsor**

FILED

Date _____

Time _____

Clerk _____

Comm. Amdt. _____

AMEND Senate Bill No. 2055*

House Bill No. 2116

by deleting the amendatory language of SECTION 1 in its entirety and substituting instead the following:

() If an employee receives a settlement, judgment or decree under this chapter which includes the payment of medical expenses and the employer or workers compensation carrier wrongfully fails to reimburse an employee for any medical expenses actually paid by the employee within sixty (60) days of such settlement, judgment or decree, or fails to provide reasonable and necessary medical expenses and treatment, including failure to reimburse for reasonable and necessary medical expenses, in bad faith after receiving reasonable notice of their obligation to provide such medical treatment, the employer or workers compensation carrier shall be liable, in the discretion of the court, to pay the employee, in addition to the amount due for medical expenses paid, a sum not exceeding twenty-five percent (25%) of such expenses; provided, that it is made to appear to the court that the refusal to pay such claim was not in good faith and that such failure to pay inflicted additional expense, loss or injury upon the employee.